

## **REMARKS**

The above amendment and these remarks are responsive to the communication from Examiner Lan Dai T. Truong, mailed 17 Nov 2006.

Claims 1-2, 6-8, 11, and 14 are in the case, none as yet allowed. Applicant has canceled claims 3-5, 9-10, 12-13, and 15 without prejudice.

### ***35 U.S.C. 112 (First Paragraph)***

Claims 1-2, 8, 13-15 have been rejected under 35 U.S.C. 112, first paragraph is failing to comply with the written description.

Applicant has canceled claims 13 and 15, and has amended claims 1-2, 8, and 14.

The Examiner states:

"The disclosure lacks clear written description in a description on how to obtain or authenticate a user to access enterprise service(s). Based on the limitation '...each company group of a plurality of distinct company groups including one or more related companies which use the same accounting codes and procedures, with accounting codes and procedures that vary between company groups...' It is unclear how to access the services based on the relationship of the accounting code, related companies and a plurality of procedures." [Office Action, pages 2-3.]

The quoted material from the independent claims was originally inserted to define what is meant by "company group", and has been clarified and moved to the claim preambles.

Applicant's invention relates most specifically to the design and use of company group HR file 374, and to the populating of user profile table 384 with information (that is, the company code and work location code) required by server application 390 and not available from company group

HR file 374.

The process of the current invention by which user profile table 384 is built to include the company code and work location code is as follows [See specification, page 8, line 8 to page 13, line 4.] All claims in the case are now directed to this process.

A company group (represented by server 52) is a group of companies (represented by company files 59, 59A.)

The enterprise server of the claims is represented by servers 390 and 376. Server 376 receives a batch file 370, 374 of human resource (HR) information from a company group hub server 52. From that, server 376 creates a profile table 384 of individuals authorized by companies 59, 59A of that company group 52 to access enterprise system 390.

The present invention is not specific to the authorization of users to access application 392. Those users are first authorized by their respective companies, and merely identified to the enterprise in files 370, 374. The present invention focuses instead on the building of user profile table 384. That table may play a role in

subsequent processing of requests by a user at 46 to access application 392, but that is not the purpose of the present invention.

At first access by a user at browser 46, the user will not know the company 59 code within the company group 52. But these codes are required by system server 390 in order to execute application 392.

Applicant's invention is directed to a mechanism for handling the HR data from company files 59, 59A to speed up and simplify (as is discussed at page 5 of the specification) the input of the needed information by new and reassigned users (by not requiring such users to re-input all of the personal information). To do this, system server 390 displays back to user identified as new (or changed) in pop-down list 396 certain work location information from a plant code table 386 and get back from user (line 406, 410) the company work location name. With that information 410, server 388 accesses batch file 386 to ascertain the company code and work location code for completing the information required in user profile table 384 for this user.

The companies 59 and company group 52 do know its company group code when initializing the batch HR file 370 (specification, page 10, lines 15-16).

A holding or enterprise company (represented by servers 376, 388, 390) has many company groups 52 within it. A group 52 has many companies 59 within it. Company group server 52 adds a company identifier to each record in file 370, 374. Each company 59 provides own HR data to hub server 52, which sends minimum information 370 across firewall 372 into server system 376 with a company identifier. File 374 is a flat file from the company. Table build application 378 will process file 374 to staging area 380 where it is available for use (will have some, but not all, information needed for processing including updates, adds, and deletes of users from profile table 384.

A prospective user at 46 access server system 390 on line 406 a first time. This access comes to database server 388 on line 410, and the prospective user will be found in table 384 (if not, not a valid user). New employee application build 382 already has or will pull data from staging table 380 via 403 and put out information 404 for new users into profile table 384 (which will not have all

information needed, but will have company grouping information that will be helpful in determining company code). When a prospective (new or modified) user accesses server 390, if profile table 384 does not have the required company code, a popdown list 396 of companies within the company group obtained from plant code table 386 for just company locations for this company group. User chooses his company work location and server 388 updates user profile table 384 and user 46 is able to access the RCW application 392. (After this access, further authorization activities, not part of the present invention, may occur.)

Thus, in response to the Examiner's rejection, applicant has clarified the claims to more explicitly present the aspect of the invention relating to the building of a user profile table to include the information required for application 392.

Applicant requests that claims 1-2, 8, and 14 be allowed.

**35 U.S.C. 112 (Second Paragraph)**

Claims 1-2, 8, and 13-15 have been rejected for reciting the limitation "the same accounting codes", with the statement that "There is insufficient antecedent basis for this limitation in the claim(s)."

Applicant has amended the claims. These claims no longer recite "the same accounting codes", but rather "same accounting codes" and positioned them so there is no need for antecedent basis. "Same" does not refer back to any previous statement of accounting codes but rather characterizes the phrase "accounting codes" to mean that the company codes for each company within a company group are the same.

Claims 1-2, 8, and 13-15 have been further rejected as being vague and indefinite.

Applicant has canceled claims 13, and 15 without prejudice to facilitate prosecution.

The Examiner states:

"...it is unclear of the limitation "...each company group of a plurality of distinct company groups

including one or more related companies which use the same accounting codes and procedures, with accounting codes and procedures that vary between company groups...' and the relationships among accounting codes, a related companies/various company groups and a plurality of procedures in order to access the enterprise services." [Office Action, page 3]

The Examiner has apparently inadvertently misquoted the claim. The word "the" before "same accounting codes" was deleted in the previous amendment. As to the "relationships" among accounting codes, etc., applicant's specification includes material which clearly sets forth the meaning of company group. Such a company group is a group of companies which use same accounting codes and procedures, and different company groups differ in that they use different accounting codes and procedures. See, for example:

In accordance with the preferred embodiment of the invention, an enterprise provides procurement services to a plurality of customer companies organized in company groups, each company group including one or more related companies which use the same accounting



codes and procedures. [Specification, page 8, lines 8-12.]

Applicant has previously responded to the question on how enterprise services are accessed. See the discussion above with respect to building user profile table 384, which refers to specification, pages 8 to 13.

Applicant urges that claims 1-2, 8, 14 be allowed.

**35 U.S.C. 103**

Claims 1, 8-10, and 13-15 have been rejected under 35 U.S.C.(a) over Knouse et al. (U.S. 2003/0074580) in view of Fey et al. (U.S. 2003/0187688.)

Applicant has canceled claims 9, 10, 13, and 14, and have amended claims 1, 8, and 14.

With respect to claims 1, 8, and 14:

Knouse is cited for teaching building profile entry with user identifier and company group identifier [096] and for obtaining a profile entry for an authorized user [099]. Applicant traverses this characterization of Knouse. Knouse clearly teaches the user ID, but not the company group identifier, and teaches an entirely different authorization process from the profile build process of applicant's invention.

The Examiner equates the identification of work facility to applicant's company group identifier. However, applicant clearly distinguishes in the claims the work location code from the company group identifier. These are separate and distinct entities in the claims, the company group identifier being used to access plant code table to obtain and serve to browser 46 a list of possible work location codes, from which the user will select his work location and from that the code table is accessed by build application to complete the user profile table entry for this user with plant location code and company code. In Knouse the user inputs "identification of work facility", but there is no teaching of obtaining from that the location

code required and company code required by the enterprise server (of applicant's claims.)

The reference to Knouse [099] authorization distinguishes applicant's invention. In Knouse, if the information obtained from the user at log-on does not satisfy authentication criteria, access is denied and the process halts. In applicant's invention, authorization is not the issue. If the profile information obtained from the user log-on information is incomplete, the process does not halt, but rather continues to obtain from the user and from plant code table 386 the information required to complete the profile 384.

The Examiner cites Fey as teaching company groups and accounting codes and location indicia [Table 13]. Applicant's traverse this characterization. First, the Examiner asserts that the health data management system of Fey is in analogous art. Applicant argues that such is not a proper conclusion. There is in Fey no discussion of companies and company groups. There is, applicant argues, no basis for finding equivalence between the account number (which is a unique identifier for each client of the health system) and applicant's accounting codes (e.g., work

location and company codes), between a GroupEventID (which is an event identifier) and applicant's company groups (which is a collection of companies), and between a LocationId, which is an identifier of a risk assessment location and applicant's work location codes.

Applicant's also argue that there is not proper basis in either Knouse or Fey for suggesting such a combination. The Examiner cites as motivation "in order to improve data management system more efficiency in order to provide services for wide range customers".

Applicant responds that it is insufficient to establish obviousness that the separate elements of the invention existed in the prior art, absent some teaching or suggestion, in the prior art, to combine the elements. [See *Arkie Lures, Inc. v. Gene Larew Tackle, Inc.*, 43 USPQ 2d 1294 (Fed. Cir. 1997)]. That a claimed invention may employ known principles does not itself establish that the invention would have been obvious, particularly as in the present case where those principles are employed to deal with different problems. The claim must be considered as a whole, and it is not proper to piece together the claimed invention using the claims as a guide. The Federal Circuit

has stated: "[o]ne cannot use hindsight reconstruction to pick and choose among isolated disclosures in the prior art to deprecate the claimed invention. [See In re Fritch, 23 USPQ 2d 1780, 1784 (Fed. Cir. 1992)].

Applicant argues that the application of Knouse and Fey as presented by the Examiner is an example of just such hindsight reconstruction.

Claims 2-3 and 14 have been rejected under 35 U.S.C. 103(a) over Knouse-Fey in view of Hahn-Carlson (U.S. 6,704,612) and Liu et al. (U.S. 6,839,680).

Claim 3 has been canceled.

With respect to claims 2 and 14, the Examiner cites Hahn-Carlson as teaching a list of authorized users, and Liu as teaching the merging of profile.

First, applicant has previously distinguished Knouse and Fey, and their combination.

Second, Hahn-Carlson relates to a transaction

validation system for auditing. This is clearly unrelated to the profile build process of applicant's claims. Applicant traverses the conclusion of the Examiner that reference to the Abstract teaches "receiving list of authorized users." The abstract is silent on this point. There is reference at Col. 4, line 23 to "authorized users", but no teaching as to how such are identified, nor how such relates to profile table build process of applicant's claims.

Applicant's claims now variously refer to "periodically receiving at said enterprise server from a company group a file of user entries, said file of user entries including for each of a plurality of users from one or more constituent customer companies a user identifier and a corresponding company group identifier, but not said company code and said location code". This is not what Hahn-Carlson teaches.

Third, Liu is cited by the Examiner for teaching the merging of profiles from multiple sources. Applicant concurs that Liu teaches aggregation of visitor profiles from multiple sources, including information from separate companies. However, such in combination with Knouse-Fey-

Hahn-Carlson does not teach the specific process of applicant's claims which are directed to building a user profile table with information not known to the separate companies. Applicant, on the above reasoning, traverses the Examiner's statement that combining Liu's ideas of merging profiles with Knouse-Fey-Hahn-Carlson's system teaches applicant's claims 2 and 14.

Claim 4 has been rejected under 35 U.S.C. 103(a) over Knouse-Fey-Hahn-Carlson-Liu in view of Bennett et al. (U.S. 202/0161606).

Bennett is cited for teaching transmitting merged data to a central system. Applicant has canceled claim 4 without prejudice, however the idea of merging user profile data from several companies into a common user profile table does still exist in applicant's claims.

Bennett relates to transmitting laboratory test results on specimens to a central computer that performs the function of a clearinghouse to ensure that a test ordered from a client is paid by a responsible party and that someone assumes responsibility of payment for the test. Applicant argues that Bennett is not in analogous art, and

that the Examiner is, in citing Bennett, with applicant's claims as a roadmap, using hindsight reconstruction to pick and choose among isolated disclosures in the prior art to deprecate the claimed invention. This is not proper, and the motivation "in order to provide larger management system" does not, applicant argues, meet the standard for combining references.

Claim 5 has been rejected under 35 U.S.C. 103(a) over Knouse-Fey-Hahn-Carlson-Liu-Bennet in view of Arledge et al. (U.S. 6,535,294).

Arledge is cited by the Examiner as teaching displaying requester intelligible location descriptions associated with a company group in a selection list when accounting indicia is not included in a user profile for the requester. The Examiner equates the Arledge "location of state and country" to applicant's "location", the Arledge "particular franchised retail store" to applicant's "company belongs to company group", and the Arledge "location popup list" to applicant's "responsive to said profile entry not including company code and location indicia, display to said user description of locations for said company group".



Applicant has canceled claim 5 without prejudice. However, the concept to which Arledge is applied is present in other claims in the case. Applicant has previously discussed Knouse-Fey-Hahn-Carlson-Liu-Bennet, and argues that Arledge does not cure the deficiencies already noted.

That is, applicant traverses the Examiner's characterization of Arledge and its application to applicant's claimed invention, in which the Examiner states "...obvious... to combine Arledge's ideas of displaying a popup list of location of state and country of particular franchised retail store with Knouse-Fey-Hahn-Carlson-Liu-Bennet's system in order to create new user profile which contain information about locations and franchised retail store as default." This is not what applicant claims. Applicant's have nothing to do with "franchised retail store as a default". Applicant's claims are directed to building and maintaining a user profile table of users identified by a plurality of companies in company groups. When users access the server, the user provides a user ID and company group ID. A new user is already identified to the server, which accesses a plant code table and interacts with the user to complete a profile for the new user with a location code and company code.

Again, applicant's argue, the Examiner is improperly using applicant's own claims and hindsight reconstruction to pick and choose among six isolated disclosures in the prior art to deprecate the claimed invention.

Claims 11 and 12 have been rejected under 35 U.S.C. 103(a) over Knouse-Fey in view of Arledge et al. Claim 12 has been canceled without prejudice, and claim 11 has been amended to depend from claim 8, which in turn has been amended to clarify the specific process of applicant's invention for building and maintaining a user profile table, which is not the same as creating a "new user profile which contain information about locations and franchised retail store as default" - whatever that means. Applicant has previously distinguished the Knouse-Fey combination, and taken with Arledge, as applicant argues above, the references do not teach the invention recited in claim 8.

Claim 6 has been rejected under 35 U.S.C. 103(a) over Knouse-Fey-Hahn-Carlson-Liu-Bennet-Arledge in view of Schweitzer et al. (U.S. 6,418,467).

Claim 6 has been amended to depend from claim 2.

We have here an assertion by the Examiner that concepts collected from seven different references teach applicant's claimed invention. Surely this is an example of using applicant's claim as a roadmap for hindsight reconstruction by picking and choosing among isolated disclosures. However, applicant agrees that Schweitzer (or any of many other references) teaches transmission of information through a firewall, but not in combination with previously discussed other concepts in the claims, with respect to which Knouse-Fey-Hahn-Carlson-Liu-Bennet-Arledge have already been distinguished.

Claim 7 has been rejected under 35 U.S.C. 103(a) over Knouse-Fey-Hahn-Carlson-Liu-Bennet-Arledge-Schweitzer in view of Resnick et al. (U.S. 6,185,545).

Claim 7 has been canceled without prejudice, and its limitations incorporated into claim 6. Applicant agrees that Resnick (or any of many other references) teaches a frame relay network, but but not in combination with previously discussed other concepts in the claims, with respect to which Knouse-Fey-Hahn-Carlson-Liu-Bennet-Arledge-Schweitzer have already been distinguished. Again, applicant argues that the rejection of claim 7 (now claim 6)

is an example of using applicant's claim as a roadmap for hindsight reconstruction by picking and choosing disparate concepts from among isolated disclosures.

Applicant urges that the rejection of claims 1-2, 6-8, 11, and 14 under 35 U.S.C. 103(a) be reconsidered and withdrawn in view of the above amendments and arguments.

### **SUMMARY AND CONCLUSION**

Applicant requests that the above amendments be entered and the case passed to issue with claims 1-2, 6-8, 11, and 14.

The Application is believed to be in condition for allowance and such action by the Examiner is urged. Should differences remain, however, which do not place one/more of the remaining claims in condition for allowance, the

Examiner is requested to phone the undersigned at the number provided below for the purpose of providing constructive assistance and suggestions in order that allowable claims can be presented, thereby placing the Application in condition for allowance without further proceedings being necessary.

Sincerely,

S. P. Cason, et al.

By

  
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